

RUTLAND, INC

In re

Debtor

Case No.

99-11391-rlk

(if known)

AMENDED

## SCHEDULE B - PERSONAL PROPERTY

10/27/99

#88-1

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, of both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

| TYPE OF PROPERTY  | NONE | DESCRIPTION AND LOCATION OF PROPERTY                 | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|------|--|-----------------------------------|--|
| 1. Cash on hand.  | X    |  |                                   |  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives |      | Mercantile Bank Account (#963000744-2)               |                                   | 1,239.61   |
|   |      | Checking Account - Farmers & Trader's (0100449-2)    |                                   | 90.73  |
|   |      | Checking Account - Vermont National Bank (#38003151) |                                   | 1,328.51   |
|   |      | As of October 8, 1999                                |                                   |  |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.   | X    |  |                                   |  |
| 4. Household goods and furnishings, including audio, video, and computer equipment.   | X    |  |                                   |  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.   | X    |  |                                   |  |
| 6. Wearing apparel.   | X    |  |                                   |  |
| 7. Furs and jewelry.  | X    |  |                                   |  |

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U.S. BANKRUPTCY COURT  
DISTRICT OF VERMONT

RUTLAND, INC

Case No. 99-11391-rlk

In re Debtor

(if known)

## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

| TYPE OF PROPERTY  | NONE | DESCRIPTION AND LOCATION OF PROPERTY   | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|------|--|-----------------------------------|--|
| 8. Firearms and sports, photographic, and other hobby equipment.  | X    |  |                                   |  |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  | X    |  |                                   |  |
| 10. Annuities. Itemize and name each issuer.  | X    |  |                                   |  |
| 11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.  | X    |  |                                   |  |
| 12. Stock and interests in incorporated and unincorporated businesses. Itemize.   | X    |  |                                   |  |
| 13. Interests in partnerships or joint ventures. Itemize.   | X    |  |                                   |  |
| 14. Government and corporate bonds and other negotiable and non-negotiable instruments.   | X    |  |                                   |  |
| 15. Accounts receivable.  |      | Accounts receivable<br>Various Customers (book amount, no cash discount assumed, no bad debts allowed for) |                                   | 1,259,932.10   |
| 16. Alimony, maintenance, support, and property settlement to which the debtor is or may be entitled. Give particulars.   | X    |  |                                   |  |
| 17. Other liquidated debts owing debtor including tax refunds. Give particulars.  | X    |  |                                   |  |
| 18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property. | X    |  |                                   |  |
| 19. Contingent and noncontingent interests in estate or a decedent, death benefit plan, life insurance policy, or trust.  | X    |  |                                   |  |

RUTLAND, INC

In re

Debtor

Case No.

99-11391-rlk

(if known)

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

| TYPE OF PROPERTY   | NONE | DESCRIPTION AND LOCATION OF PROPERTY  | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|------|---|-----------------------------------|--|
| 20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights of setoff claims. Give estimated value of each. | X    |   |                                   |  |
| 21. Patents, copyrights, and other intellectual property. Give particulars.  | X    |   |                                   |  |
| 22. Licenses, franchises, and other general intangibles. Give particulars.   | X    |   |                                   |  |
| 23. Automobiles, trucks, trailers, and other vehicles and accessories.   | X    |   |                                   |  |
| 24. Boats, motors, and accessories.  | X    |   |                                   |  |
| 25. Aircraft and accessories.  | X    |   |                                   |  |
| 26. Office equipment, furnishings, and supplies.   |      | Office Equipment<br>Debtor's estimate of FMV subject to subsequent appraisal<br>Jacksonville, IL<br><br>Estimated book cost \$ 5,717.20   |                                   | 5,000.00   |
| 27. Machinery, fixtures, equipment, and supplies used in business.   |      | Machinery & Equipment<br>Debtor's estimate of FMV subject to subsequent appraisal<br>Jacksonville, IL<br>Estimated Book Cost as of 10/12/99<br>\$80,979.56<br><br>Lab Equipment |                                   | 15,000.00<br><br><br><br><br><br><br><br><br><br>10.00   |

RUTLAND, INC

In re

Debtor

Case No.

99-11391-rlk

(if known)

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

| TYPE OF PROPERTY | NONE | DESCRIPTION AND LOCATION<br>OF PROPERTY   | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT<br>MARKET VALUE OF<br>DEBTOR'S INTEREST<br>IN PROPERTY WITH-<br>OUT DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION |
|------------------|------|---|--------------------------------------|--|
|                  |      | Debtor's estimate of FMV subject to<br>subsequent appraisal<br>Jacksonville, IL<br><br>Estimated Book Cost<br>as of 10/12/99 - \$779.11<br><br>Sales Equipment<br><br>Debtor's estimate of FMV subject to<br>subsequent appraisal<br>Consists of Trade Show Booth<br>Jacksonville, IL<br><br>estimated book cost as<br>of 10/12/99 - \$1,819.76 |                                      | 500.00   |
| 28. Inventory.   |      | Inventory - Mfg. Supplies<br>Jacksonville, IL<br><br>Inventory - Raw Mat'l.<br><br>Debtor's estimate of FMV subject to<br>subsequent appraisal - 10% of Std Cost<br>Consists of unique packaging (65%) and<br>chemicals (35%)<br>Jacksonville, IL<br>Book cost \$505,565.67<br><br>Inventory - Finished Goods                                   |                                      | 2,000.00<br><br>50,557.00<br><br>171,880.00  |

RUTLAND, INC

In re \_\_\_\_\_  
DebtorCase No. 99-11391-rlk  
(if known)**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

| TYPE OF PROPERTY  | NONE | DESCRIPTION AND LOCATION OF PROPERTY  | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|------|---|-----------------------------------|--|
|   |      | Debtor's estimate of FMV subject to subsequent appraisal<br>Consists of Rutland (90%) and private label (10%)<br>Value is 20% of Standard Cost<br>Jacksonville, IL, Jonesville, VT and various suppliers in U.S.<br>Book Cost as of 9/30/99<br>\$859,399.58 |                                   |  |
|   |      | Inventory Office Supply<br>Rutland, Vt and Jacksonville, IL<br>Book Cost \$3593   |                                   | 1,000.00   |
|   |      | Inventory - Advertising Supplies<br>Consists of RUTLAND Catalogs of no value to others<br>Rutland, VT and Jacksonville, IL<br>Book Cost \$35,871  |                                   | 0.00   |
| 29. Animals.  | X    |   |                                   |  |
| 30. Crops - growing or harvested. Give particulars.         | X    |   |                                   |  |
| 31. Farming equipment and implements.                       | X    |   |                                   |  |
| 32. Farm supplies, chemicals, and feed.                     | X    |   |                                   |  |
| 33. Other personal property of any kind not already listed. |      | Expense Advances  |                                   | 250.00   |
| 0 continuation sheets attached                              |      |   |                                   | Total ▶ \$ 1,508,787.95  |

17. STATEMENT OF FINANCIAL AFFAIRS

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

In Re RUTLAND, INC

(Name)

Case No. 99-11391-rlk

(If known)

Debtor

*AMENDED*

STATEMENT OF FINANCIAL AFFAIRS

*10/27/99*

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16-21. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

**"In Business."** A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

**"Insider."** The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

1. Income from employment or operation of business

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

|      | AMOUNT      | SOURCE (if more than one)                          |                          |
|------|-------------|--|--------------------------|
| 1999 | \$4,053,331 | Consolidated Sales Rutland Fire Clay (not audited) | FY: 12/01/98 to 10/07/99 |
| 1998 | \$4,891,848 | Consolidated Sales Rutland Fire Clay (Reviewed)    | FY: 12/01/97 to 11/30/98 |
| 1997 | \$4,315,527 | Consolidated Sales Rutland Fire Clay (Reviewed)    | FY: 12/01/96 to 11/30/97 |

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DISTRICT COURT  
VERMONT

## 2. Income other than from employment or operation of business

None

☐

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

|      | AMOUNT | SOURCE |
|------|--------|--------|
| 1998 | 25068  | Rent   |
| 1997 | 8024   | Rent   |

## 3. Payments to Creditors

None

☐

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATES OF PAYMENTS | AMOUNT PAID | AMOUNT STILL OWING |
|------------------------------|-------------------|-------------|--------------------|
| Available upon request       |                   |             |                    |

None

☐

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors, who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR   | DATES OF PAYMENTS | AMOUNT PAID | AMOUNT STILL OWING |
|---|-------------------|-------------|--------------------|
| Thomas P. Martin<br>P.O. Box 340<br>Rutland, VT 05702-0340<br>Relationship: Director, Company President     | 1998, 1999        | \$502.75    | 0                  |
| Carol M. Wood<br>RFD#1, Box 104<br>Woodstock, VT 05091<br>Relationship: Corporate Secretary and Board Clerk | 1998, 1999        | \$975.00    | 0                  |
| Walter Bellatti, Esq.<br>PO Box 696<br>Jacksonville IL 62651<br>Relationship: IL Corp. Secretary            | Date to date      | \$500       |                    |
| Mary Danforth<br>9 Woodland Dr. Ext<br>Rutland VT 05701<br>Relationship: Treasurer                          | Date to date      | \$1500      |                    |

**4a. Suits and administrative proceedings, executions, garnishments and attachments**

None  
☐

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND  
CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY  
AND LOCATION

STATUS OR  
DISPOSITION

All suits pending against  
Rutland Fire Clay Co.

None  
☒

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON  
FOR WHOSE BENEFIT PROPERTY  
WAS SEIZED

DATE OF  
SEIZURE

DESCRIPTION  
AND VALUE  
OF PROPERTY

**5. Repossessions, foreclosures and returns**

None  
☒

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF  
CREDITOR OR SELLER

DATE OF REPOSESSION,  
FORECLOSURE SALE, TRANSFER  
OR RETURN

DESCRIPTION AND  
VALUE OF PROPERTY

**6a. Assignments and Receiverships**

None  
☒

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF ASSIGNEE

DATE OF  
ASSIGNMENT

TERMS OF  
ASSIGNMENT  
OR SETTLEMENT



None  
☒

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF CUSTODIAN | NAME AND<br>LOCATION OF<br>COURT CASE TITLE<br>& CASE NUMBER | DATE OF<br>ORDER | DESCRIPTION AND<br>VALUE OF PROPERTY |
|----------------------------------|--|------------------|--------------------------------------|
|----------------------------------|--|------------------|--------------------------------------|

#### 7. Gifts

None  
☐

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case, except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND<br>ADDRESS OF<br>PERSON OR ORGANIZATION | RELATIONSHIP<br>TO DEBTOR,<br>IF ANY | DATE OF<br>GIFT | DESCRIPTION AND<br>VALUE OF GIFT |
|--|--------------------------------------|-----------------|----------------------------------|
| RAHA Rutland, VT                                 |                                      | 2/15/99         | \$400 cash                       |
| Rutland Historical Society, Rutland,<br>VT       |                                      | 2/15/99         | \$500 Cash                       |
| Rutland High School<br>Rise                      |                                      | 2/15/99         | \$100 Cash                       |
| Crossroads Arts Council, Rutland, VT             |                                      | 2/15/99         | \$500 Cash                       |
| College of St Joseph                             |                                      | 02/15/99        | \$200.00 Cash                    |
| Paramount Center                                 |                                      | 02/15/99        | \$500.00 Cash                    |
| Vt Achievement Center                            |                                      | 02/15/99        | \$100.00 Cash                    |
| Salvation Army                                   |                                      | 02/15/99        | \$100.00 Cash                    |
| Chaffee Art Center                               |                                      | 02/15/99        | \$200.00 Cash                    |
| Rutland County<br>Community Land<br>Trust        |                                      | 02/15/99        | \$200.00 Cash                    |
| Rutland County Humane<br>Society                 |                                      | 02/15/99        | \$200.00 Cash                    |
| Habitat for Humanity                             |                                      | 02/15/99        | \$200.00 Cash                    |
| MSJ Annual Fund                                  |                                      | 02/15/99        | \$500.00 Cash                    |

NAME AND  
ADDRESS OF  
PERSON OR ORGANIZATION

RELATIONSHIP  
TO DEBTOR,  
IF ANY

DATE OF  
GIFT

DESCRIPTION AND  
VALUE OF GIFT

|   |  |          |               |
|---|--|----------|---------------|
| Arthritis Foundation                    |  | 02/15/99 | \$100.00 Cash |
| Vt Children's<br>Aid dSociety           |  | 02/15/99 | \$100.00 Cash |
| Rutland West<br>Neighborhood<br>Housing |  | 02/15/99 | \$100.00 Cash |
| United Way of<br>Rutland County         |  | 10/07/98 | \$350.00 Cash |
| Heritage Cultural<br>Center             |  | 02/15/99 | \$700.00 Cash |
| Old Rectory Task<br>Force               |  | 02/15/99 | \$100.00 Cash |
| Cache Fund                              |  | 02/15/99 | \$100.00 Cash |
| Jax Area Community<br>Food Center       |  | 02/15/99 | \$100.00 Cash |

#### 8. Losses

None  
☒

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND  
VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES, AND, IF  
LOSS WAS COVERED IN WHOLE OR IN PART  
BY INSURANCE, GIVE PARTICULARS

DATE OF  
LOSS

9. Payments related to debt counseling or bankruptcy

None

☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case or since the commencement of this case.

| NAME AND ADDRESS OF PAYEE   | DATE OF PAYMENT,<br>NAME OF PAYOR IF<br>OTHER THAN DEBTOR | AMOUNT OF MONEY OR<br>DESCRIPTION AND VALUE<br>OF PROPERTY  |
|---|---|---|
| Obuchowski Law Office<br>Raymond J. Obuchowski, Esq.<br>PO Box 60, Route 107<br>Bethel, Vermont 05032         | Date to Date  | See attached<br>supplemental<br>answer  |
| Payments made in<br>conjunction with<br>Rutland Fire Clay Co.<br>& Rutland Inc. together                      |   |   |
| Obuchowski Law Office<br>Raymond J. Obuchowski, Esq.<br>PO Box 60, Route 107<br>Bethel, Vermont 05032         | October 12, 1999  | Payment in the amount<br>of \$12,249.42 for<br>services between<br>September 30, 1999<br>through October 12, 1999 |
| Obuchowski Law Office<br>Raymond J. Obuchowski, Esq.<br>PO Box 60, Route 107<br>Bethel, Vermont 05032         | October 12, 1999  | \$13,300 representing<br>\$830.00 for filing fee<br>and \$12,500 for retainer                                     |
| John J. Preefer, Esq.<br>Atty for Unofficial Asbestos<br>Claimants Committee<br>460 Park Ave. 8th FL<br>NY NY | September 27, 1999  | \$20,000.00   |
| John J. Preefer, Esq.<br>Atty for Unofficial Asbestos<br>Claimants Committee<br>460 Park Ave. 8th FL<br>NY NY | October 12, 1999  | \$15,000 retainer for<br>Unofficial Asbestos<br>Claimants Committee   |

Supplemental answer to Statement of Financial Affairs

Question 9. **Payments related to debt counseling or bankruptcy.**

Attached listing for payments to Obuchowski Law Office in year prior to filing. This represents total fees for both Rutland Fire Clay Co. and Rutland Inc.

| <b>Payment Date</b> | <b>Amount Paid</b>  |
|---------------------|---------------------|
| October 15, 1998    | \$ 3,000.00         |
| December 17, 1998   | \$ 1,000.00         |
| April 7, 1999       | \$ 845.00           |
| June 25, 1999       | \$ 3,253.34         |
| August 6, 1999      | \$ 210.50           |
| October 4, 1999     | \$ 9,000.00         |
| <b>Total</b>        | <b>\$ 17,308.84</b> |

### 10. Other transfers

None

☐

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF TRANSFEREE,<br>RELATIONSHIP TO DEBTOR | DATE           | DESCRIBE PROPERTY<br>TRANSFERRED AND<br>VALUE RECEIVED |
|---|----------------|--|
| Marietta Vasconcellos<br>Relationship: None               | June 30, 1999  | 801 N. Church St.<br>Jacksonville IL 62650             |
| Delos G. Pollard<br>Relationship: None                    | April 21, 1999 | 811 North Church St.<br>Jacksonville IL                |

### 11. Closed financial accounts

None

☐

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under 12 or chapter 13 must include information concerning accounts or instruments held by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF INSTITUTION | TYPE AND NUMBER OF<br>ACCOUNT AND AMOUNT OF<br>FINAL BALANCE | AMOUNT AND<br>DATE OF<br>SALE OR CLOSING       |
|------------------------------------|--|--|
| Mercantile Bank of<br>Illinois     | Checking Account Account # 963000743-4                       | Closed: 0<br>03/31/99<br>Balance: 0            |
| Vt National Bank                   | #3890014407  | Closed: Closed on 9-30-99<br>Balance: \$607.03 |

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**12. Safe deposit boxes**

None

☐

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF BANK OR OTHER DEPOSITORY | NAMES AND ADDRESSES<br>OF THOSE WITH ACCESS<br>TO BOX OR DEPOSITORY | DESCRIPTION OF<br>CONTENTS | DATE OF TRANSFER<br>OR SURRENDER, IF ANY |
|---|---|----------------------------|--|
|---|---|----------------------------|--|

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**13. Setoffs**

None

☒

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE OF<br>SETOFF | AMOUNT<br>OF SETOFF |
|------------------------------|-------------------|---------------------|
|------------------------------|-------------------|---------------------|

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**14. Property held for another person**

None

☐

List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS OF OWNER | DESCRIPTION AND VALUE<br>OF PROPERTY | LOCATION OF PROPERTY |
|---------------------------|--------------------------------------|----------------------|
|---------------------------|--------------------------------------|----------------------|

See attached schedule with  
QOH (Quantity On Hand)

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**15. Prior address of debtor**

None

☒

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF<br>OCCUPANCY |
|---------|-----------|-----------------------|
|---------|-----------|-----------------------|

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the two years immediately preceding the commencement of this case, any of the following: an office, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the two years immediately preceding the commencement of this case.)

**16. Nature, location and name of business**

None



a. If the debtor is an individual, list the names and addresses of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the two years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the two years immediately preceding the commencement of this case.

b. If the debtor is a partnership, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within the two years immediately preceding the commencement of this case.

c. If the debtor is a corporation, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities within the two years immediately preceding the commencement of this case.

| NAME | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING<br>DATES OF OPERATION |
|------|---------|--------------------|--|
|------|---------|--------------------|--|

**17a. Books, record and financial statements**

None



a. List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

Thomas P. Martin

All

None



b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

DATES SERVICE

A. M. Peisch & Co.

Rutland, VT

1997 to 1998

None  
☐

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

Thomas P. Martin

Debtor

None  
☐

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

NAME AND ADDRESS

DATED ISSUED

Mercantile Bank  
Jacksonville, IL

1997, 1998

Jacksonville Savings Bank  
Jacksonville, IL

1997, 1998

**18a. Inventories**

None  
☐

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

November 30, 1998

Michael Stewart, Vice President

Standard Cost Basis  
\$1,016,522

November 30, 1997

Michael Stewart, Vice President

Standard Cost basis  
\$1,004,913



None  
☐

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF  
INVENTORY RECORDS

All

Thomas P. Martin  
Rutland Fire Clay Co.  
86 Center St.  
P.O. Box 340  
Rutland, VT 05702-0340

19a. Current Partners

None  
☒

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

| NAME AND ADDRESS | NATURE OF INTEREST | PERCENTAGE OF INTEREST |
|------------------|--------------------|------------------------|
|------------------|--------------------|------------------------|

None  
☐

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE  
OF STOCK OWNERSHIP

Thomas P. Martin  
P.O. Box 340  
Rutland, VT 05702-0340

President/CEO/CHB

0% owner

J. Richard Ackerman  
S. Burlington, VT

Director

0% owner

Ralph Perkins  
Burlington VT

Director

0.0% owner

Walter Bellatti  
22 Sunsant Dr.  
Jacksonville IL 62650

Secretary

Mary Danforth  
9 Woodland Dr. Ext.  
Rutland VT 05701

Treasurer

) % stock ownership[

**20a. Former Partners**

None



a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

None



b. If the debtor is a corporation, list all officers, and directors whose relationship with the corporation terminated with one year immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF TERMINATION

**21. Withdrawals from a partnership or distribution by a corporation**

None



If the debtor is a partnership or a corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS OF  
RECIPIENT, RELATIONSHIP  
TO DEBTOR

DATE AND  
PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY  
OR DESCRIPTION AND  
VALUE OF PROPERTY

Thomas P. Martin  
252 South Main St  
Rutland VT 05701  
Relationship: Chairman of Board

Various Travel Expenses

502.75

Carol M. Wood  
105 Pomfret Rd.  
Woodstock VT 05091  
Relationship: Ass't Secretary

Officer's Salary and Clerk to  
Board fees

850.00

Mary Danforth  
9 Woodland Dr. Ext  
Rutland VT 05701  
Relationship: Treasurer

Fees

\$1500.00

Walter Bellatti, Esq.  
Jacksonville IL  
Relationship: IL Corp Secretary

Fees

\$500.00

\* \* \* \* \*

[If completed on behalf of a partnership or corporation]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date October 26, 1999

Signature

Thomas P Martin  
THOMAS P. MARTIN,

President

THOMAS P. MARTIN, PRESIDENT  
Print Name and Title

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

-----  
**CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

\_\_\_\_\_  
Printed or Typed Name of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security No.

\_\_\_\_\_  
Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X

\_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedures may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.  
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0 continuation sheets attached

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. § 152 and 3571